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In re application of

Buckley

Serial No. 09/989,913

Filed: November 20, 2001

For: PHASE CHANGE MATERIAL THERMAL
CAPACITOR CLOTHING

wak

Paper Number ____

DECISION ON
PETITION

This is a decision on a FIRST PETITION TO EXPUNGE UNDER 37 C.F.R. 1.59(b), filed April 16, 2004, and a SECOND PETITION UNDER 37 C.F.R. 1.59(b) filed April 16, 2004. Both petitions are before the Group Director of Technology Center 1700 for consideration.

DECISION

Petitioner requests that the Proprietary Information Disclosure Statement (PIDS) filed March 25, 2004 be expunged and that the three documents filed on April 9, 2004 be appropriately disposed of in accordance with 37 CFR 1.59. Each of the criteria for granting the request has been satisfied, see the MPEP 724.05.

The petition is **GRANTED**.

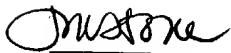
Section 1.59 has been amended to eliminate references to returning documents that have been expunged to recognize that, with electronic Official files, there will be nothing to return when a paper is expunged.

The Office is capturing electronic images of all documents that form the Official file. Where the image is generated from a physical source document, the originating document may be disposed of once the electronic image accuracy is verified. The paper source document will eventually be destroyed under a United States National Archives and Records Administration (NARA) approved schedule. Therefore, if a document is to be expunged from the record, the only operation that will be required will be removal of the image from the Official file.

Paragraph (a)(1) of §1.59 has been amended by deleting the phrase “and returned ” from the first sentence, and deleting the second sentence. Paragraph (b) of §1.59 has been amended by deleting the phrase “and return ” from each of the first and second sentences. The Office will continue to provide notice in the Official file that a paper has been expunged and the Office will send a decision to the applicant notifying the applicant that the paper has been expunged.

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The images of the documents and the PIDS have been removed from the Official file.



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